

COUNTY COUNCIL

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MEMORANDUM

February 14, 2014

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair
RE: **FEBRUARY 12, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its February 12, 2014 Council Meeting:

SPECIAL ORDER OF THE DAY:

Bill No. 2514 – A BILL FOR AN ORDINANCE AMENDING SECTION 5-2.3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COUNTY MOTOR VEHICLE WEIGHT TAX *(Received for the Record.)*

Bill No. 2515, Draft 1 – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT *(Deferred.)*

CONSENT CALENDAR:

C 2014-39 Communication (01/06/2014) from the Chief of Police, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2013-2014, by Revising the Amounts Estimated in the General Fund. *(Police Department – Chief's Office, Regular Overtime - \$500,000) (Received for the Record.)*

C 2014-42 Communication (01/21/2014) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointees to the various Boards and Commissions for the County of Kaua'i:

1. Building Board of Appeals:

- Michael Y. Nagano *(Fire Safety)* – Term ending 12/31/2014

2. Board of Water Supply:

- Laurie K. Ho (*At-Large*) – Term ending 12/31/2016

3. Cost Control Commission:

- Brandon H. Shimokawa (*At-Large*) – Term ending 12/31/2016

4. Salary Commission:

- Camilla C. Matsumoto (*At-Large*) – Term ending 12/31/2014

(Received for the Record.)

C 2014-43 Communication (01/21/2014) from the County Engineer, transmitting for Council consideration, a Resolution Establishing Crosswalks Across 'Ulu Maika Street And Kālepa Street, Lihu'e District, County Of Kaua'i. ***(Received for the Record.)***

COMMUNICATIONS:

C 2014-40 Communication (01/16/2014) from the County Attorney, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2013-2014, by Revising the Amounts Estimated in the General Fund. (*Office of the County Attorney, Consultant Services/Special Counsel - \$500,000*) ***(Received for the Record.)***

C 2014-41 Communication (01/22/2014) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-754, as amended, relating to the Capital Budget of the County of Kaua'i for the Fiscal Year 2013-2014, by Revising the Amounts Estimated in the Bond Fund – CIP and Special Trust Fund – CIP for Parks and Playgrounds – Hanalei District. (*Black Pot Condemnation Balance - \$1,259,905*) ***(Received for the Record.)***

C 2014-35 Communication (01/16/2014) from the County Attorney, requesting authorization to expend funds up to \$8,000 to retain Special Counsel to represent Henry Barriga in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. 13-00202 DKW-BMK (U.S. District Court), and related matters. ***(Deferred pending action by the Police Commission.)***

C 2014-36 Communication (01/16/2014) from the County Attorney, requesting authorization to expend funds up to \$8,000 to retain Special Counsel to represent Sherwin Perez in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. 13-00202 DKW-BMK (U.S. District Court), and related matters. ***(Deferred pending action by the Police Commission.)***

C 2014-44 Communication (01/31/2014) from the Fire Chief, requesting Council approval to receive and expend a Staffing for Adequate Fire and Emergency Response (SAFER) grant from the United States Department of Homeland Security in the amount of \$944,700, to cover a two (2) year period of salary costs for the hiring of three (3) firefighters to staff the Līhu'e Engine Company and three (3) firefighters for the Līhu'e Rescue Company. These additional positions will help to minimize the margin of compromise, improve the initial fire alarm response, mitigate safety issues associated with limited fire ground personnel, protect the island's critical infrastructure, and bring staffing into compliance with the National Fire Protection Association (NFPA) 1710 standards. **(Approved.)**

C 2014-45 Communication (02/04/2014) from the County Attorney, requesting authorization to expend funds up to \$75,000 to retain Special Counsel to represent the County of Kaua'i in Syngenta Seeds, Inc.; a Delaware corporation, et al. vs. County of Kaua'i, Civil No. CV14-00014 BMK (U.S. District Court), and related matters. **(Approved.)**

CLAIM:

C 2014-46 Communication (01/29/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Nelly Bautista, for a medical bill, pursuant to Section 23.06, Charter of the County of Kaua'i. **(Referred to the County Attorney's Office for disposition and/or report back to the Council.)**

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2014-01 – RESOLUTION ESTABLISHING NO PARKING AT ANY TIME ALONG PORTION OF KŌLOA ROAD, KŌLOA DISTRICT, COUNTY OF KAUA'I **(Received for the Record.)**

Resolution No. 2014-02 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BUILDING BOARD OF APPEALS **(Michael Y. Nagano – Fire Safety) (Approved.)**

Resolution No. 2014-03 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY **(Laurie K. Ho – At-Large) (Approved.)**

Resolution No. 2014-04 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION **(Brandon H. Shimokawa – At-Large) (Deferred pending interview.)**

Resolution No. 2014-05 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION **(Camilla C. Matsumoto – At-Large) (Approved.)**

Resolution No. 2014-06 – RESOLUTION ESTABLISHING CROSSWALKS ACROSS ‘ULU MAIKA STREET AND KĀLEPA STREET, LĪHU‘E DISTRICT, COUNTY OF KAUA‘I (*Approved.*)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2530) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Police Department – Chief’s Office, Regular Overtime - \$500,000*) (*Approved on 1st reading, Public Hearing scheduled for 03/12/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.*)

Proposed Draft Bill (No. 2531) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Office of the County Attorney, Consultant Services/Special Counsel - \$500,000*) (*Approved on 1st reading, Public Hearing scheduled for 03/12/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.*)

Proposed Draft Bill (No. 2532) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND – CIP AND SPECIAL TRUST FUND – CIP FOR PARKS & PLAYGROUNDS (*Black Pot Condemnation Balance - \$1,259,905*) (*Approved on 1st reading, Public Hearing scheduled for 03/12/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)